Article - State Government

§20–601.

(a)   In this subtitle the following words have the meanings indicated.

(b)   (1)   "Disability" means:

(i)   1.   a physical disability, infirmity, malformation, or disfigurement that is caused by bodily injury, birth defect, or illness, including epilepsy; or

2.   a mental impairment or deficiency;

(ii)   a record of having a physical or mental impairment as otherwise defined under this subsection; or

(iii)   being regarded as having a physical or mental impairment as otherwise defined under this subsection.

(2)   "Disability" includes:

(i)   1.   any degree of paralysis, amputation, or lack of physical coordination;

2.   blindness or visual impairment;

3.   deafness or hearing impairment;

4.   muteness or speech impediment; and

5.   physical reliance on a service animal, wheelchair, or other remedial appliance or device; and

(ii)   retardation and any other mental impairment or deficiency that may have necessitated remedial or special education and related services.

(c)   (1)   "Employee" means:

(i)   an individual employed by an employer; or

(ii)   an individual working as an independent contractor for an employer.

(2)   Unless the individual is subject to the State or local civil service laws, "employee" does not include:

(i)   an individual elected to public office;

(ii)   an appointee on the policy making level; or

(iii)   an immediate adviser with respect to the exercise of the constitutional or legal powers of an elected office.

(d)   (1)   "Employer" means:

(i)   a person that:

1.   is engaged in an industry or business; and

2.   A.   has 15 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year; or

B.   if an employee has filed a complaint alleging harassment, has one or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year; and

(ii)   an agent of a person described in item (i) of this paragraph.

(2)   "Employer" includes the State to the extent provided in this title.

(3)   Except for a labor organization, "employer" does not include a bona fide private membership club that is exempt from taxation under § 501(c) of the Internal Revenue Code.

(e)   (1)   "Employment agency" means:

(i)   a person that regularly undertakes with or without compensation to procure:

1.   employees for an employer; or

2.   opportunities for employees to work for an employer; and

(ii)   an agent of a person described in item (i) of this paragraph.

(2)   Except for the United States Employment Service and the system of State and local employment services receiving federal assistance, "employment agency" does not include a unit of the United States, the State, or a political subdivision of the State.

(f)   "Genetic information" has the meaning stated in § 27–909(a)(3) of the Insurance Article.

(g)   "Genetic test" has the meaning stated in § 27–909(a)(5) of the Insurance Article.

(h)   "Harassment" includes harassment based on race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, gender identity, or disability, and retains its judicially determined meaning, except to the extent it is expressly or impliedly changed in this subtitle.

(i)   (1)   "Labor organization" means:

(i)   a labor organization engaged in an industry; and

(ii)   an agent of an organization described in item (i) of this paragraph.

(2)   "Labor organization" includes:

(i)   an organization of any kind, an agency, or an employee representation committee, group, association, or plan:

1.   in which employees participate; and

2.   that exists, wholly or partly, for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment; and

(ii)   a conference, general committee, joint or system board, or joint council that is subordinate to a national or international labor organization.

(j)   "Religion" includes all aspects of religious observances, practice, and belief.